

Report to Portfolio Holder for Environment

Subject: Provision of an interim contract with Frontline for Parks and Street Care agency staff whilst OJEU tender is completed

Date: 1 May 2019

Author: Deputy Chief Executive and Director of Finance

Purpose

In accordance with Contract Standing Order 30.2 iii), to report to the relevant portfolio holder that the Director has certified that a contract for works, supplies or services is required so urgently as to not permit the invitation of tenders.

Background

- 1.1 Following a joint procurement process with several authorities in Nottinghamshire in 2014, the Council entered into a contract with Frontline Recruitment for the provision of temporary agency staff (grounds maintenance operative; street cleansing operative; waste/recycling loader; waste/recycling driver). This contract has now expired and there is therefore an urgent need to get a contract in place as soon as possible.
- 1.2 The Service Manager for Parks and Street Care has obtained procurement advice from the Council's procurement service and has been informed that the procurement of a new contract will involve a full OJEU tender which will take approximately 6 months to complete. It is proposed that the Council invite tenders for two suppliers to be appointed under a framework agreement for the provision of different types of agency staff which will be separated into lots.
- 1.3 The Service Manager for Parks and Street Care was working with legal and procurement colleagues, along with the Service Manager for Waste and Transport Management, to draft and finalise the documentation that will need to be published during the tender exercise (specification, framework agreement, call-off contract, evaluation, etc.). Due to unforeseen absence, the work for waste and transport is being picked up by a colleague within the team.
- 1.4 It is therefore not envisaged that the tender process will be completed until December 2019. There will then be a lead-in period before

implementation of the new contract. It is anticipated that the new contract will commence on 1st April 2020. The Council therefore needs to procure an interim contract as soon as possible to provide cover until this new contract commences, and it is proposed that the Council enters into a contract with its current supplier, Frontline Recruitment, until 31st March 2020. This contract is valued between £50,000 and the EU threshold.

- 1.5 Contract Standing Order 4.03 states, in relation to contracts estimated to be between £50,000 to EU thresholds, that tenders shall be invited in accordance with Standing Orders 8 to 11 or a Framework Agreement used in accordance with Standing Order 12. Contract Standing Order 30.02 iii) states:-

Nothing in these Standing Orders shall require tenders to be invited if:

The contract for works, supplies or services certified by the Director concerned as being required so urgently as not to permit the invitation of tenders such certificate to be reported to the appropriate Cabinet member.

- 1.6 There is not sufficient time to run a tender process to appoint a supplier for the proposed interim contract nor have any suitable frameworks been identified. The relevant Service Manager has sought procurement advice in a timely manner and a full European tender process is being undertaken to procure long term suppliers.
- 1.7 For these reasons the Director certifies in accordance with Standing Order 30.2 iii) that this contract for services is required so urgently as not to permit the invitation of tenders.

Proposal

- 2 The Director proposes to enter into a contract with Frontline Recruitment for the provision of Parks and Street Care agency staff which will expire on 31st March 2020.

Appendices

- 3 None

Recommendation

To note the contents of the report.